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Delivered by email to: cpehrson@kba.law

Her Tactical, LLC
E&R, LLC dba Her Tactical
Vicky Arlene Johnston
Blake Cheal

Attention: Chad S. Pehrson, counsel

Re: Response to Letter Dated October 31, 2022 (Case No. 1:22-cv-00121DAK)

Mr. Pehrson:

Although we do not feel the above-referenced letter merits a substantive response, I nevertheless reply as your colleague with hopes to appeal to your better nature.

As you review my answer to your motion to dismiss, you'll observe that I dedicated approximately 30% of my brief identifying and dismissing the various *ad hominem* attacks, improper inferences, and incorrectly imputed positions and claims that you raised. I identified my bases for believing that such assertions should be disregarded and cited to relevant provisions of the Utah Standards of Professionalism and Civility in support.

As an active member of the J. Reuben Clark Law Society I have a deep respect for the Utah Standards and promise to treat you and your client with the courtesy and respect contemplated therein. And while I appreciate the adversarial nature of the litigative process, I respectfully request that you hold yourself to those standards as well.

You have now threatened to file sanctions twice, in writing, assuming without verification that my client has not conducted adequate pre-litigation discovery. Further, your motion to dismiss mocks my clients' feelings and your letter infantilizes them. But as you observed, our clients are not attorneys, and they look to us to be an example of what should be a noble profession. Please do better.

With respect to your concerns, I submit for your consideration that threats of sanctions are premature. In time the Court will rule on your motion and both Parties will acquire more clarity as to the reasonableness of our claims and we will soon thereafter acquire additional clarity pursuant to the nature of discovery permitted by the Court's local rules.

I trust that with my letter this concludes the matter for now, but if you feel additional discussion or follow-up is merited, please do not hesitate to reach out to me. Thank you, this letter is sent without prejudice to my client's rights and claims, all of which are expressly reserved.

Sincerely,

/Brandon J. Leavitt/

Brandon James Leavitt, esq.